

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6/12/06 Signature: [Signature]

(Susan Lanney)

Docket No.: WIBL-P01-013  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mootha et al.

Confirmation No.: 3194

Art Unit: 1614

Application No.: 10/560501

Examiner: Not Yet Assigned

Filed: December 12, 2005

For: METHODS OF REGULATING METABOLISM  
AND MITOCHONDRIAL FUNCTION

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed March 27, 2006, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Petition for Extension of Time, and Part 2 Copy of Notice.

Please charge our Deposit Account No. 18-1945 in the amount of \$375.00 covering the fees set forth in 37 CFR 1.17(a)(1) and 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. WIBL-P01-013. A duplicate copy of this paper is enclosed.

Dated: June 12, 2006

Respectfully submitted,

By [Signature]  
Ignacio Perez de la Cruz

Registration No.: 55,535

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Attorneys/Agents For Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,501	Vamsi Krishna Mootha	WIBL-P01-013

INTERNATIONAL APPLICATION NO.
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PCT/US04/19017

I.A. FILING DATE	PRIORITY DATE
06/14/2004	06/13/2003

28120  
 FISH & NEAVE IP GROUP  
 ROPES & GRAY LLP  
 ONE INTERNATIONAL PLACE  
 BOSTON, MA 02110-2624

CONFIRMATION NO. 3194

371 FORMALITIES LETTER

\*OC000000018388025\*

Date Mailed: 03/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/12/2005
- Copy of the International Search Report filed on 12/12/2005
- Preliminary Amendments filed on 12/12/2005
- U.S. Basic National Fees filed on 12/12/2005
- Priority Documents filed on 12/12/2005
- Specification filed on 12/12/2005
- Claims filed on 12/12/2005
- Abstracts filed on 12/12/2005
- Drawings filed on 12/12/2005

Ropes &amp; Gray

MAR 31 2006

Intellectual Property Dept.

Ropes &amp; Gray

Symbol #: WIBL-P01-013

Action Due: Respond to OA MR  
Oath/Dec. Fee

Deadline(s): 27 May 2006 / 27 Oct 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$125 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

BEST AVAILABLE COPY

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$315** for a Small Entity:

- **\$65 Surcharge.**
  - The fee for submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes **\$125** for 1 pages in excess of 400 pages for a small entity in compliance with 37 CFR 1.27.
- Total additional claim fee(s) for this application is **\$ 125**
  - **\$100** for 5 independent claims over 3.
  - **\$25** for 11 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,501	PCT/US04/19017	WIBL-P01-013

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 10/560501 Filing Date December 12, 2005 First Named Inventor Vamsi Krishna Mootha Examiner Name Not Yet Assigned Art Unit 1614 Attorney Docket No. WIBL-P01-013	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 375.00			

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: 18-1945    Deposit Account Name: Fish & Neave IP Group, Ropes & Gray LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b> Small Entity Fee (\$)		<b>SEARCH FEES</b> Small Entity Fee (\$)		<b>EXAMINATION FEES</b> Small Entity Fee (\$)		<b>Fees Paid (\$)</b>
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							<b>Small Entity</b> <b>Fee (\$)</b>
<b>Fee Description</b>							<b>Fee (\$)</b>
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
<b>Total Claims</b> <b>Extra Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b>							<b>Multiple Dependent Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b>
31    -30 =    1    x    25.00    =    25.00							06/20/2006 GFREY1 00000120 181945 10560501
<b>Indep. Claims</b> <b>Extra Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b>							01 FC:2617    65.00 DA 02 FC:2681    125.00 DA 03 FC:2615    25.00 DA 04 FC:2616    100.00 DA
8    -7 =    1    x    100.00    =    100.00							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding 44 copies of a filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>		<b>Extra Sheets</b>		<b>Number of each additional 50 or fraction thereof</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
401		-400 = 1		/50 1 (round up to a whole number) x		125.00	= 125.00
<b>4. OTHER FEE(S)</b>							<b>Fees Paid (\$)</b>
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 2251 Extension for response within first month							60.00
2051 Surcharge-Late oath or declaration							65.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	55,535
Name (Print/Type)	Ignacio Perez de la Cruz	Telephone	(617) 951-7289
		Date	June 12, 2006

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Dated: 6/12/06	Signature:  (Susan Lanney)